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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/738,319	12/17/2003	Patrick M. Bailey	LENX-0002	7917
27964	7590	05/16/2005	EXAMINER	
HITT GAINES P.C. P.O. BOX 832570 RICHARDSON, TX 75083			NATALINI, JEFF WILLIAM	
			ART UNIT	PAPER NUMBER
			2858	
DATE MAILED: 05/16/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

11.6

# Office Action Summary

Application No.

10/738,319

Applicant(s)

BAILEY ET AL.

Examiner

Jeff Natalini

Art Unit

2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) 8-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

***Election/Restrictions***

1. Applicant's election without traverse of group I, claims 1-7 in the reply filed on April 28, 2005 is acknowledged.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Neeb (US 6441637).

In regard to claim 1, Neeb discloses a module comprising a dielectric body (fig 1 (22) is a computer (col 3 line 27-31) and computers are known to have a plastic- (dielectric) cover) having interconnected terminal sets corresponding to components connectable thereacross (fig 1, 22 is connected through multiple devices under test); and continuity indicator circuits associated with some of said terminals sets and configured to indicated continuity faults with respect to connected components (abstract).

In regard to claim 2, Neeb discloses wherein at least some of said terminal sets are interconnected in series (terminal sets are the connections of each of the corresponding PTCs and DUTs to the power supply are connected in series- they have one node in common connected to the power supply).

In regard to claim 6, Neeb discloses output terminal sets and voltage indicator circuits associated therewith and configured to indicate an operation of corresponding ones of said components (abstract last two sentences, the output terminal set (output of power supply) is determined for each of the corresponding devices).

In regard to claim 7, Neeb discloses wherein terminal sets remain functional upon a failure of any of said continuity indicator circuits (Neeb does not specifically state this, but it is disclosed (in fig 1) the continuity test circuitry is connected to the terminal sets which connect the devices to the power supply, if the continuity test fails, the devices would still be connected to the power supply and would operate normally).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neeb (US 6441637) in view of Verkhowskly (US 6075448).

Neeb lacks wherein the continuity indicator circuits include light-emitting diodes (LEDs) and wherein the impedance is based on illuminating associated LEDs.

Verkhowskly teaches continuity circuits including LEDs and wherein the impedance is based on illuminating the LEDs (col 1 line 36 – col 2 line 5).

It would have been obvious to one with ordinary skill in the art at the time the invention was made for Neeb to include LEDs wherein the impedance of the continuity circuit is based on illuminating the LEDs as taught by Verkhowskly in order to distinguish between resistances between 100 – 1000 ohm (col 1 line 62-64), so you could have a more important device have a brighter LED if it fails, to gain the attention of a user.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Neeb (US 6441637) in view of Collier et al. (6323652).

Neeb discloses a power supply (fig 1 (16)).

Neeb lacks wherein an AC Power In terminal set is associated with a voltage indicator circuit and configured to indicate a presence of a voltage thereacross.

Collier et al. discloses wherein an AC Power In terminal set (provided by an outlet) associated with a voltage indicator circuit and configured to indicate a presence of a voltage thereacross (col 8 line 1-3).

It would have been obvious to one with ordinary skill in the art at the time the invention was made for Neeb to have an AC power in terminal set associated with a voltage indicator circuit as taught by Collier et al. in order to indicate that the level of the power supply is adequate (col 8 line 2-3).

### ***Conclusion***

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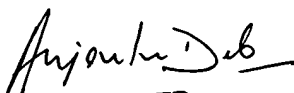
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cooley et al. (4799019) teaches a continuity tester for refrigeration equipment, contains a indication lamp for indicating faults. Tury et al. (6373255) teaches a continuity tester for multiple lighting systems has a variety of LEDs to provide information to the user. Stanford et al. (6496015) teaches a continuity tester with multiple wires being tested. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Natalini whose telephone number is 571-272-2266. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jeff Natalini



  
**ANJAN DEB**  
**PRIMARY EXAMINER**